



April 1, 2015

Re: HB 7111

Dear Florida Legislator,

The Child Welfare League of America (CWLA), a 90-year-old organization representing hundreds of public and private child-serving member agencies located in all 50 states, urges policymakers in your state to make sure that any policy—especially legislation affecting the placement of children in adoptive, foster care, or kinship homes—places the best interests of the child first.

There are few things more heart-wrenching than a child in need of a family. Unfortunately, thousands of children across the country lack a stable, loving family to care for and nurture them. Finding a suitable foster or adoptive home can be a challenge, particularly for older children and those with serious medical needs.

This is critical, especially when considered in light of the fact that more than 100,000 children in our nation's foster care system currently are waiting for an adoptive family. This means that a court or a child welfare agency has terminated parental rights or otherwise determined that the child can best be served by finding an appropriate adoptive family.

As we state in our CWLA Standards of Excellence for Adoption Services (1.1 Definition of Adoption):

“Adoption is the social, emotional, and legal process through which children who will not be raised by their birth parents become full and permanent legal members of another family while maintaining genetic and psychological connections to their birth family. Adoption is more than a simply legal transaction. It is a complex social and emotional experience as well, with lifetime implications for all parties to it. Those involved in adoption must acknowledge the very real genetic and psychological connections of the adopted child and birth family, which remain even after the legalization of the adoption.”

As such, it is important that children be placed in families that meet their needs. Over the past several decades, families choosing to build or expand their families through adoption have become increasingly diverse. A growing number of foster families; families of color; older individuals; families with children; two-parent working families; single parents; same-sex



couples; and families from all education levels, all religious persuasions, and all parts of the country now adopt children and do so successfully. What these families have in common is that they are willing and able to make a lifelong commitment to protect and nurture a child not born to them.

In our adoption standards (5.1Basis for Selection of a Family for a Child), we state:

“When the agency providing adoption services is responsible for selecting the adoptive family, it should base its selection of a family for a particular child on a careful review of the information collected in the child assessment, and on a determination of which of the approved and prepared adoptive families could most likely meet the child’s needs. When the birth parents are responsible for selecting the adoptive family, the agency should counsel them with regard to the important factors they should consider in making their decision. Factors to be considered in the selection of an adoptive family include the family’s structure, interests, abilities, and experience with children.

Our adoption standards further state in section 4.7:

All applicants should be assessed on the basis of their abilities to successfully parent a child needing family membership and not on their race, ethnicity or culture, income, age, marital status, religion, appearance, differing lifestyle, or sexual orientation. Applicants should be accepted on the basis of an individual assessment of their capacity to understand and meet the needs of a particular available child at the point of the adoption and in the future

So, it’s particularly disturbing that the Florida legislature is currently considering a law, HB 7111, that would make it more difficult for children to find families by allowing state-contracted child-placing agencies to refuse to perform, assist in, recommend, consent to, or participate in the placement of a child if a placement violates the agency’s written religious or moral convictions or policies.

In the end, this is not about religious liberty. In instances where birth parents choose to place their children for adoption and decide to work with an agency to have their child placed with a family of a particular faith, they have the right to do so. But when children are removed from their families by the State because of abuse or neglect, the State has a duty to place them in homes based on the children’s needs and the prospective family’s capacity to meet those needs, not the religious or moral beliefs of the agency it hires to find them families. These children have the right to have their placement decisions made based on child welfare criteria, not religious criteria.

CWLA urges you to make sure that any legislative mandates on your state’s child welfare system respect the principles in the Standards of Excellence, which are the recognized best practices in



the child welfare field. We appreciate your attention to these comments, and we look forward to working with you to promote the safety, permanency, and well-being of children, youth, and families. The last thing these children need is a law that will make it harder for them to find the security of a loving home.

Sincerely,

Christine James-Brown
President/CEO, CWLA